



HUMAN RESOURCES DISABILITY INSURANCE PROGRAM CHECKLIST

IMPORTANT: FOR HR USE ONLY

Use the Human Resources Disability Insurance Program Checklist if your employee is going to be out of work due to an accident, illness or pregnancy for more than 30 calendar days to ensure that the employee receives all the required documentation and information. **Review the Disability Insurance Program procedures and THAA user guides on the Secure Benefit Representative Website¹.** There are several resources on the [Statewide Benefits Office website](#) for employees, including [online courses](#) that provide an overview of the Disability Insurance Program, Short Term Disability, Long Term Disability and Return to Work.

All employees, including hazardous duty employees, enrolled in the Disability Insurance Program who expect to be absent from work for the 30 calendar day Short Term Disability elimination period are required to file a Short Term Disability claim with The Hartford no later than the 15th calendar day of absence from work. This holds true even if the employee applied for, or is receiving, Workers' Compensation or Personal Injury Protection benefits or Other Income Benefits as defined in the Short Term Disability Booklet².

IMPORTANT NOTE: 29 Del. C. 29 §5253 (b)(7)) states "once an employee exhausts their elimination period, the employee will be deemed to have applied for benefits under this section and shall **not** be eligible to utilize paid leave in lieu of application for short term disability."

If the employee was involved in a Workers' Compensation or automobile incident or accident, and is enrolled in the Disability Insurance Program, please follow the Workers' Compensation Checklist¹.

Employees enrolled in the Disability Insurance Program who are receiving Workers' Compensation or Automobile Personal Injury Protection benefits must also comply with the Disability Insurance Program guidelines.

¹ Located on the Secure Benefit Representative Website:

State of Delaware - <https://reps.dhr.delaware.gov/>; UD & DSWA - <https://nebsreps.dhr.delaware.gov/>

² The Short Term Disability Booklet is located on the SBO website at de.gov/statewidebenefits (navigation: select your group > Disability Insurance)

IMPORTANT NOTE: If there is any conflict in interpretation between the information contained in this document and the Short Term Disability and Long Term Disability program contract provisions and existing law, the contract provisions and/or law govern.

5-CALENDAR DAYS ABSENT

_____ Research, confirm full and/or intermittent Parental Leave requests (only if applicable) and usage with the employee and their supervisor (employee is responsible for contacting their Human Resources/Benefits Office 30-calendar days in advance of parental leave).

_____ Advise the employee to file a Short Term Disability claim and provide the employee with the “Short Term Disability Form Letter, Employee Acknowledgement and Claim Filing Checklist, Guidelines & Activity Log³” by mail or via email if employee has indicated a preferred address. Even if the employee initially does not anticipate a leave of absence of at least the length of the elimination period, we still recommend this packet is provided to the employee.

_____ **Note:** It is suggested that you download and resave the form with a new file name. The PDF Fillable Short Term Disability Form Letter is customizable. In addition to personalizing the participants information and HR/Benefits Representative contact information on the cover page, the checkboxes on page numbers 11 and 12 will indicate whether parental leave or workers' compensation is applicable to the participant; if not applicable, the content is removed.

Please note: Chrome is the suggested internet browser. Other browsers may not support the interactive PDF.

_____ It is the employee’s responsibility to promptly sign and return the “Employee Acknowledgement” page to the Human Resources/Benefits Representative via email (preferred) or mail to their Human Resources/ Benefits Office within 5-business days of receiving the letter.

_____ Remind the employee they must file a Short Term Disability claim with The Hartford even if they are receiving Workers’ Compensation or automobile Personal Injury Protection benefits as Family & Medical Leave Act, Worker’s Compensation, Personal Injury Protection and Short Term Disability run concurrently.

_____ Engage in the American’s With Disabilities Act interactive process, if applicable - <https://dhr.delaware.gov/personnel/policies/>.

³ The Short Term Disability Form Letter, Employee Acknowledgement and Claim Filing Checklist, Guidelines & Activity Log, as well as Family & Medical Leave Act forms (if eligible), are located on the Secure Benefit Representative Website: State of Delaware - <https://reps.dhr.delaware.gov/>; UD & DSWA - <https://nebsreps.dhr.delaware.gov/> (navigation: Forms and Info > Disability Insurance)

15-CALENDAR DAYS ABSENT

IMPORTANT NOTE: The employee's claim cannot be adjudicated until the Eligibility to Verify Form is completed and returned to The Hartford within 48 hours of receiving the form as an attachment in an email from The Hartford. A delay in responding may result in delaying the claim adjudication process or a claim denial.

- _____ When the employee has filed a Short Term Disability claim with The Hartford, the employing organization will receive an email containing an Eligibility to Verify Form.
- _____ Return the completed Eligibility To Verify Form to GBClaims@thehartford.com within 48 hours of receiving the email from the Hartford.
- _____ Follow your employing organizations internal procedures to verify the employee's intentions to supplement the Short Term Disability benefit payment with available leave accruals, donated leave and/or compensatory time and if applicable, upon exhaustion of the 3 or 12-month Salary Supplement.

30-CALENDAR DAYS ABSENT

- _____ If the employee's Short Term Disability claim is not in an approved status by the exhaustion of the 30 calendar day elimination period due to reasons outside of the employee's control, the employing organization has the discretion to pay the employee accrued leave until the employee's Short Term Disability claim is approved. If the Short Term Disability claim is approved, the employing organization must reconcile the employee's leave record.

IMPORTANT NOTE: If the employee does not file their Short Term Disability claim by the 15th calendar day of absence from work, accrued leave should not be paid to the employee after the end of the elimination period.

CLAIM APPROVED

When an employee's claim is approved, an email will be sent to the employing organization containing a hyperlink advising that a ATP with Calc report has been created within [The Hartford Ability Advantage \(THAA\)](#) for your review. By clicking the hyperlink, you will be transported to the THAA website. Type in your user ID and password to enter into THAA and follow navigation to the ATP with Calc report to retrieve data required to pay Short Term Disability benefits to your employees.

CLAIM DENIED

If the employee's claim is not approved, the employee may file an appeal. For more information on the Short Term Disability Appeal Filing Process, please refer to the "Appeal a Denied/Terminated Short Term Disability Claim" document posted on the Disability Insurance Program page of SBO's website de.gov/statewidebenefits.

UTILIZING LEAVE

SICK/ANNUAL LEAVE

According to the [Disability Insurance Program Rules and Regulations](#), provided the employee files their Short Term Disability claim no later than the 15th calendar day from the date of disability and abides by the employing organizations policy and procedures regarding attendance and calling in absent, the employee may continue to use available sick and/or annual leave to be paid until the Short Term Disability claim is approved.

Employees are eligible to utilize earned sick leave for absences due to accident, illness or injury for periods before disability benefits commence so an employee receives 100% of creditable compensation for such periods, not to exceed the employee's sick leave balance.

An employee may utilize annual, sick, compensatory time or donated leave to supplement Short Term Disability benefits to equal 100% of creditable compensation through the maximum 182-calendar day Short Term Disability benefit period.

PARENTAL LEAVE

Parental leave shall be used to cover the elimination period upon the birth of a child for eligible employees in lieu of earned sick leave or annual leave, compensatory time or donated leave.

Parental leave shall be used to supplement the Short Term Disability benefit to equal 100% of pre-disability base pay for employees entitled to parental leave upon the birth of a child. Information and procedures for entering Short Term Disability amounts payable to Less Than 12-Month Educational Employees in Payroll System are under construction.

DONATED LEAVE

Employees may utilize donated leave to be paid during the 30 calendar day elimination period.

For Merit employees, regardless of whether a claim was filed with The Hartford, donated leave is not to continue following the 30 calendar day elimination period until the employee's Short Term Disability claim is in an approved status. Upon approval of the employee's Short Term Disability claim, the employing organization may apply donated leave retroactively to supplement the Short Term Disability wage payment.

LEAVE AND WORKERS COMPENSATION

Merit employees who are injured on the job and approved for Workers' Compensation should not be charged with sick leave for any portion of the day of the injury.

Non-merit employees must comply with the rules that apply to your employing organization.

ASSISTANCE RETURNING TO WORK

Contact the State's Return to Work Coordinator for assistance returning an employee to work from Short Term Disability:

Return to Work Coordinator
Crystal Sheats
Email: returntowork@delaware.gov
Phone: 302-760-7069
Fax: 302-739-8339

_____ When a request for a Physical Demands Analysis is received from The Hartford or the State's Return to Work Coordinator at the Statewide Benefits Office, please have the form completed by the authorized personnel within the employing organization and return to The Hartford and the State's Return to Work Coordinator within two business days of the request.

Please be sure to include the claimant name and claim ID -

The Hartford

- *For disability claims filed prior to 11/2/2020:*
Email informationupload@thehartford.com.
- *For disability claims filed on or after 11/2/2020:*
Email GBClaims@thehartford.com.

State's Return to Work Coordinator

- Email returntowork@delaware.gov.

_____ When contacted by the State's Return to Work Coordinator or The Hartford for return to work assistance for the employee, respond in writing within two business days.

_____ If unable to accommodate the employee's return to work for any reason, a written response must be provided to the State's Return to Work Coordinator and The Hartford indicating why the employing organization is unable to accommodate.

WHEN EMPLOYEE RETURNS TO WORK

_____ The day the employee returns to work from disability, please notify The Hartford and the State's Return to Work Coordinator:

The Hartford

- *For disability claims filed prior to 11/2/2020:*
Email DIPassist@thehartford.com with the name of the individual, organization and return to work date.
- *For disability claims filed on or after 11/2/2020:*
Follow the instructions below -
 1. Log in to [The Hartford Ability Advantage \(THAA\) portal](#).
 2. In the employee's claim, click on "Return To Work."
 3. Under "What is 'Employee' return to work status?," choose "Yes, I have already returned to work."
 4. Click the "Report Return to Work" button.

State's Return to Work Coordinator

- Email returntowork@delaware.gov. In the subject line of the email, please indicate RTW and the last name of the individual (Example: RTW/Smith). The body of the email should include the following:
 - Date that the individual returned to work
 - Indicate if the individual is returning from Short or Long Term Disability
 - Indicate status (e.g. full time or part time and with or without restrictions)
 - Indicate if the individual is returning from Parental Leave
 - Indicate if the individual is returning to same job/different job/modified duty
 - Indicate if the individual received Workers' Compensation

_____ If the employee is scheduled to return to work, with or without accommodations, and does not report to work, please notify The Hartford and the State's Return to Work Coordinator.

BEFORE 20TH WEEK OF SHORT TERM DISABILITY BENEFIT

IMPORTANT NOTE: Employees who continue to work when transitioning to Long Term Disability or have returned to work and are working through and beyond the exhaustion of the Short Term Disability benefit period are not to be terminated. Additionally, hazardous duty employees who have exhausted their FMLA entitlement and have awarded Workers' Compensation and the Twelve Month Salary Supplement are not to be terminated until the twelve month salary supplement exhausts.

- _____ All employing organizations are responsible for engaging in the Americans with Disabilities Act interactive process <https://dhr.delaware.gov/personnel/policies/> with their employees.
 - _____ Contact the employee to advise they will be receiving the Transitioning to Long Term Disability documentation and alert them of the time-sensitive necessity of their responses; this contact provides additional opportunity to engage in the Americans with Disabilities Act of 1990 interactive process with the employee.
 - _____ Complete a Vested Pension Application through the online Pension Application (Pen-App) in PHRST and provide the employee with the Transitioning to Long Term Disability documentation⁴ if the employee will be transitioning to Long Term Disability.
- DO NOT** complete a Vested Pension Application if the employee will be working while transitioning from Short Term Disability to Long Term Disability.
- _____ Permit employees working on a temporary reduced, alternate, light duty or part-time basis upon the exhaustion of the maximum Short Term Disability benefit period, to continue working while transitioning to Long Term Disability.

⁴ Located on the Secure Benefit Representative Website:
State of Delaware - <https://reps.dhr.delaware.gov/>; UD & DSWA - <https://nebsreps.dhr.delaware.gov/>
(navigation: Forms and Info > Disability Insurance)

TRANSITIONING TO LONG TERM DISABILITY

The employee will:

- ✓ Provide written notification to their Human Resources/Benefits Office indicating their intent to work while transitioning to Long Term Disability or upon the exhaustion of the Short Term Disability benefit period
- ✓ Be paid for the hours worked in their regular paycheck
- ✓ Maintain current benefits (life/medical/dental/vision/flex spending) with the employing organization
- ✓ Accrue annual and sick leave on a pro-rated basis (non-Merit employees must comply with the rules that apply to their employing organization)
- ✓ Receive holiday pay in accordance with the employing organizations rules
- ✓ Receive (if approved for Long Term Disability) the benefit once they have provided The Hartford with verification for all income received for the month in which they have worked

For Hazardous Duty employees awarded Workers' Compensation and the Twelve Month Salary Supplement, the Human Resources/Benefits Office must:

- ✓ Provide the Office of Pensions with an email to pensiondip@delaware.gov within 48 hours of receiving your employee's response indicating their intention to transition to LTD, advising of the employee's Workers' Compensation and Twelve Month Salary Supplement award.

QUESTIONS?

AMERICANS WITH DISABILITIES ACT - EXECUTIVE BRANCH

For more information about the Americans with Disabilities Act, Executive Branch Employees can visit the Department of Human Resources website at dhr.delaware.gov.

DISABILITY INSURANCE PROGRAM AND MEDICAL, DENTAL OR VISION BENEFITS

More information be found at de.gov/statewidebenefits or contact the Statewide Benefits Office Customer Service Team at 1-800-489-8933, or by email at benefits@delaware.gov.

MEDICAL, DENTAL OR VISION BENEFITS FOR LONG TERM DISABILITY BENEFICIARIES WHOSE EMPLOYMENT HAS TERMINATED

Contact the Office of Pensions at 1-800-722-7300 for benefit questions related to employees who are on Long Term Disability and no longer employed.

PARENTAL LEAVE POLICY - EXECUTIVE BRANCH

The Leave policy for Executive Branch Agencies can be found under "Parental Leave Policy and Procedure" on the Department of Human Resources website at <https://dhr.delaware.gov/policies/>.

STATE PERSONAL INJURY PROTECTION OR SALARY SUPPLEMENT

Contact the Insurance Coverage Office at 1-877-277-4185 or inscov@delaware.gov.

WORKERS' COMPENSATION

Contact the Insurance Coverage Office at 1-877-277-4185 or inscov@delaware.gov.

APPENDIX

THE HARTFORD'S SHORT TERM DISABILITY CLAIM PROCESSING STEPS

Displayed below are the steps The Hartford follows to process (adjudicate) an employee's Short Term Disability claim:

Business Day 0

- Short Term Disability claim is reported to The Hartford by the employee telephonically, online or via mobile app.
- The Hartford's Clinical Intake Examiner captures the information from the employee and explains the claim process to the employee.

Business Day-1 and 2

- The Hartford makes two calls to the attending physician(s) within 48 hours to obtain the necessary medical documentation.
- The employing organization must complete the Eligibility to Verify Form within 48 hours.

Business Day-5

- If the employing organization has not completed the Eligibility To Verify Form within 48 hours, The Hartford will follow-up with an email or telephone call to the employee.
- If medical documentation is missing after two calls to the physician(s), The Hartford will contact the employee and request that they have their physician(s) office contact The Hartford.
- The Hartford reminds the employee that if the information is not received by the 15th business day, the claim will be closed until the information is received.

Business Day-15

- If the Eligibility To Verify Form and/or attending physician information is still missing, The Hartford closes the claim for lack of information.
- The Hartford sends a letter to the employee and the employing organization advising that the claim has been closed and details the reason(s) why.
- When all information is received, then The Hartford will proceed with the claim adjudication process.